



U.S. DEPARTMENT OF TRANSPORTATION

FEDERAL HIGHWAY ADMINISTRATION

CALIFORNIA DIVISION

650 Capitol Mall, Suite 4-100

Sacramento, CA. 95814

January 9, 2008

IN REPLY REFER TO

HDA-CA

Document #: S51289

Mr. Will Kempton, Director
California Department of Transportation
1120 N Street
Sacramento, CA 95814

Attention: Rachel Falsetti, Division of Transportation Programming, MS-82

Dear Mr. Kempton:

SUBJECT: Metropolitan Transportation Commission's 2007 Federal Transportation
Improvement Program Amendment No. 07-17

The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA), have completed our review of the Metropolitan Transportation Commission's (MTC) 2007 Federal Transportation Improvement Program (FTIP) Amendment No. 07-17 submitted by your letter dated December 28, 2007. The amendment includes modifying projects in various counties and with various funding sources.

FHWA and FTA approve this amendment in accordance with 23 CFR 450. We find that the amendment was developed based on a continuing, cooperative, comprehensive transportation planning process in accordance with 23 USC 134 and Section 5303 of the Federal Transit Act (49 USC 53). Pursuant to the July 15, 2004, *Memorandum of Understanding between the Federal Highway Administration, California Division, and the Federal Transit Administration, Region IX*, this amendment has been coordinated with the FTA in accordance with the procedures for multi-modal amendments.

The approved modifications made to the FTIP by this amendment are either exempt or financial changes and do not result in the need to make a conformity determination. However, our approval was coordinated with the Environmental Protection Agency, Region 9 office.

FHWA would like to note a couple items for consideration in future amendments. First, it is our general expectation that the draft revised financial table be circulated with the draft amendment for public comment. For numerous MTC amendments, the financial constraint information has not been circulated for public comment and is provided subsequent to the MTC approval of the amendment. FHWA would like to work with MTC to determine how the financial information can be better incorporated into the amendment process.

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Second, Project SM-070043 is being approved for programming with CMAQ funds. However, studies are, in general, not eligible for CMAQ funding. Final eligibility determinations are made by Caltrans when the project is obligated for Federal funding.

This letter also constitutes approval and inclusion of MTC's 2007 FTIP Amendment No. 07-17 into California's 2006/2007- 2009/2010 Federal Statewide Transportation Improvement Program. However, this approval does not constitute project eligibility determinations for any specified program funding.

If you have any questions regarding this action, please call Jean Mazur, with the FHWA, at (916) 498-5732 or Ted Matley, with the FTA, at (415) 744-2590.

Sincerely,

/s/ Leslie T. Rogers

Leslie T. Rogers
Regional Administrator
Federal Transit Administration

/s/ Steve Luxenberg

Gene K. Fong
Division Administrator
Federal Highway Administration

cc: (e-mail)

Ross McKeown, MTC

Therese McMillan, MTC

Sri Srinivasan, MTC

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Ms. Chun Tsung, Caltrans District 4

Mr. Michael Lim, Caltrans District 4

Ms. Sylvia Fung, Caltrans District 4

Ted Matley, FTA

Jean Mazur, FHWA

Scott Carson, FHWA

(Other)

MTC FTIP Binder

JMazur/ac